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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: BENFEY et al.

Application No.: 09/265,585

Group Art Unit: 1646

Filed: March 10, 1999

Examiner: Not Assigned

For: SCARECOW GENE, PROMOTER Att. Dkt. No.: 5914-066  
AND USES THEREOF

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**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references coming to the attention of Applicants or attorneys for Applicants which are or may be material to the patentability of any claim of the instant application, attorneys for Applicants hereby direct the Examiner's attention to the references AA to BV listed on the attached revised PTO 1449 form, entitled "List of References Cited by Applicant".

The instant application is a continuation-in-part of co-pending prior Application No. 08/842,445, filed April 24, 1997.

References AA to AS were submitted with the Information Disclosure Statement filed on December 10, 1997, in prior Application No. 08/842,445.

Pursuant to 37 C.F.R. § 1.98(d), and additionally so as to not overburden the Patent Office files, no copies of the References AA to AS are included herein, as such copies are available in the file of Application No. 08/842,445.

References AT to AY, copies of which are submitted herewith, were cited by examiner Elizabeth Kemmerer in an Office Action dated May 5, 1999, in Application No. 08/842,445.

Copies of references AZ to BV also are submitted herewith.

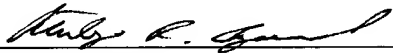
Identification of references AA-BV is not to be construed as an admission by Applicants or attorneys for Applicants that these references are available as "prior art" against the instant application.

Applicants respectfully request that all of references AA-BV be considered and made of record in the instant application.

As this Information Disclosure Statement is being filed before the believed mailing date of a first Office action on the merits, no fee is believed due, as provided under 37 C.F.R. § 1.97(b)(3). If a fee is required, please charge the required amount to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this document is enclosed.

Respectfully submitted,

Date: July 8, 1999

  
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Enclosures